

IN THE CLAIMS:

Please Amend the Claims as follows:

1. (Currently Amended) Method for executing a communication attempt with a mobile terminal device in accordance with ~~the~~ attainability status of said mobile terminal device in a cellular communication network having a Short Message Service Center (SMSC) ~~SMSC by the steps of:~~
 [[-]]-_____ querying said SMSC in said cellular network for obtaining an attainability status of said mobile terminal device, by evaluating connection related data stored in said SMSC, wherein said connection related data ~~beingis~~ is related to messages pending for delivery to said mobile terminal device, and
 [[-]]-_____ delivering said communication attempt to said mobile terminal device in accordance with said attainability status.
2. (Original) Method according to claim 1, wherein said query of said SMSC further comprises a query of a Home Location Register (HLR) of the cellular communication network for an attainability status of said mobile terminal device and wherein said attainability status is obtained by evaluating connection related data stored in said HLR.
3. (Currently Amended) Method according to claim 1 ~~or 2~~, wherein said connection related data are related to the connection state of said mobile terminal device.
4. (Currently Amended) Method according to claim 1 ~~to 3~~, wherein said data are location related.
5. (Currently Amended) Method according to ~~anyone of claims 1 to 4~~ claim 1, wherein said ~~evaluation~~ evaluating comprises the ~~evaluation~~ evaluating of data related to the communication to be attempted.
6. (Currently Amended) Method according to ~~anyone of the preceding claims~~ claim 1, wherein said query is executed by initiating a Short Message delivery to said SMSC, said Short Message being destined for said mobile terminal device.

7. (Currently Amended) Software tool for executing a communication attempt with a mobile terminal device in accordance with the attainability status of said mobile terminal device in a cellular communication network, comprising program code means for carrying out the steps of ~~anyone of claims 1 to 6~~claim 1 when said software tool is implemented in a program run on a Short Message Service Center, Service Center or a network device.
8. (Currently Amended) Computer program for executing a communication attempt with a mobile terminal device in accordance with the attainability status of said mobile terminal device in a cellular communication network, comprising program code means for carrying out the steps of ~~anyone of claims 1 to 6~~claim 1 when said program is run on a Short Message Service Center, a Service Center or a network device.
9. (Original) Computer program product comprising program code means stored on a computer readable medium for carrying out the method of anyone of claims 1 to 6 when said program product is run on a Short Message Service Center, a Service Center or a network device.
10. (Currently Amended) Short Message Service Center (SMSC), ~~connected~~connectable to a cellular communication network comprising a Home Location Register (HLR), comprising components for receiving messages, forwarding messages, and querying HLR data of a mobile terminal device, characterized by:
 - [[-]]-____ a component for obtaining data related to the attainability status of a mobile terminal device,
 - [[-]]-____ component for evaluating said data related to the attainability status of a mobile terminal device, to obtain a attainability status by evaluating data being related to messages pending for delivery to said mobile terminal device, and
 - [[-]]-____ a component for delivering messages according to said obtained data related to the attainability status of said terminal device.
11. (Currently Amended) Short Message Service Center (SMSC) of claim 10, further comprising a component for generating a message according to results from the

said component for evaluating ~~component~~.

12. (Currently Amended) Network device ~~connected~~ connectable to a Short Message Service Center (SMSC) of a cellular communication network, comprising components for sending and receiving messages, characterized by:

[[-]] _____ a component for generating a message for querying a SMSC for data being related to messages pending for delivery to a mobile terminal device and transferring said data to said network device,

[[-]] _____—a component for obtaining an attainability status from said transferred data, and

[[-]] _____ a component for delivering communication attempts according to said attainability status.

13. (Original) Network device according to claim 12, wherein said cellular network further comprises a Home Location Register (HLR), and wherein said network device further comprises a component for generating a message for inducing said SMSC to query HLR data of said mobile terminal device and transferring said data to said network device.